

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

NOVEMBER 16, 2009

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present:

Chairman Harold Sanger
Steve Lichtenfeld, Aldermanic Representative
Craig S. Owens, City Manager
Jim Liberman
Marc Lopata
Scott Wilson
Ron Reim

Absent:

None

Also Present:

Catherine Powers, Director of Planning & Development Services
Jason Jaggi, Planner
Kevin O'Keefe, City Attorney (arrived at 5:55 p.m.)

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

MINUTES

The minutes of the November 2, 2009 meeting were presented for approval. Marc Lopata asked that his name be removed as the member who indicated that at the time, only the conditional use permit portion of the request was being considered as he did not make that comment (Page 6, 12th Paragraph). The Recording Secretary will review the tape and credit the proper speaker. The minutes were then approved, as amended, after having been previously distributed to each member.

CONDITIONAL USE PERMIT/SITE PLAN REVIEW/ARCHITECTURAL REVIEW BOARD
– NEW CONSTRUCTION – ADDITION TO CAPTAIN SCHOOL – 6345 NORTHWOOD
AVENUE

Due to conflicts of interest regarding this project, both Marc Lopata and Scott Wilson left the member table and did not participate in the discussion and/or vote.

Douglas Grimm, project architect (Trivers Assoc.), was in attendance at the meeting.

Catherine Powers explained that this project totals approximately 4,800 square feet and will include a two-story addition on the west end of the structure and a one-story addition under an existing overhang on the east end of the structure. The construction project will result in new spaces for a science lab/classroom, a new Spanish lab, a counselor suite, mezzanine storage and an expansion to the administrative/nurse's office. New concrete sidewalks will connect the school building and playground. The Zoning Regulations require elementary school buildings to contain 1 parking space for each classroom. The applicant indicates that building currently contains 21 classrooms. With the addition of a science classroom, the total proposed number of classrooms is 22. The site currently contains 40 existing off-street parking spaces. The plans indicate that the west parking lot will be expanded into the asphalt play yard which will accommodate 11 new spaces for a total of 51 off-street parking spaces. Catherine indicated that the proposed project will provide needed upgrades at Captain School. Although not required by the City's Zoning Regulations, off-street parking is being increased by 11 spaces which will benefit the surrounding area and that staff recommends approval of the Conditional Use Permit to the Board of Aldermen as submitted.

Catherine then noted that the project consists of three separate reviews (Conditional Use Permit, Site Plan Review & Architectural Review).

Chairman Sanger asked that Catherine go over all three reviews.

Catherine Powers stated that with regard to site plan review, the amount of impervious coverage on the subject property is currently 2.40 acres or 78% of the subject property. Impervious coverage on the site will increase to 2.44 acres or 80% with the proposed addition. A trench drain will direct runoff from the proposed addition to a grated drain on the northeast corner of the subject property. The revised plans indicate that runoff will increase with the proposed addition by 0.01 cubic feet per second from 4.63 cfs to 4.64 cfs. Three trees totaling 7 caliper inches in the space of the proposed west end addition will be removed. One 4-caliper inch tree will be relocated, and four trees totaling 23 caliper inches will be impacted. Protective fencing is required around the four trees that will be impacted. Five trees totaling 12 caliper inches are proposed to be planted around the proposed addition on the west end of the school building. This project will provide additional instructional, office, storage and parking space which will meet the current school needs. The project also provides off-street parking and staff recommends approval of the site plan with the condition that a final SWPPP be approved by the City's Public Works Department prior to building permit issuance.

Catherine stated that with regard to the architectural aspects of the project, the addition will include a 240 square foot first floor infill underneath an existing overhang on the eastern end and a two story 4,557 square foot infill and expansion on the western end of the school building. The proposed building height measures 38'2" from the average existing grade to the top of the building parapet. The building addition will be constructed primarily of brick to match the existing school

building. Concrete fascia will match the existing concrete finish. Aluminum storefront style windows will match the existing windows. The proposed roofing will be a rubber single-ply membrane. The school's trash collection will remain in its existing location. The HVAC system will be located on the rooftop and will be screened by a material to be determined. Staff believes that the addition contains many of the details of the existing building and will match well. The proposed structure is in conformance with the R-5 Zoning District for public school buildings and staff recommends approval with the condition that screening material for the rooftop HVAC system be specified for staff review and approval.

Chairman Sanger asked if the District supplied demographics to staff.

Catherine Powers replied "yes". She asked Chairman Sanger if he wanted her to provide a copy to the members.

Chairman Sanger replied "no". He asked her to provide a brief summary later during the meeting.

Mr. Grimm began a PowerPoint presentation. The first slide depicted a site plan of the property including the proposed additions. Another slide depicting a more expansive view of the building was presented.

Slides depicting floor plans and the mezzanine level were presented.

Chairman Sanger asked when construction is expected to begin.

Mr. Miller (SM Wilson-contractor) indicated that bid packages are going out and that the District will begin with construction on this school first.

Chairman Sanger asked if it will be ready for the beginning of next school year.

Mr. Miller replied "yes".

Ron Reim asked about additional impervious coverage.

Mr. Grimm indicated that they are adding 0.4 acres of coverage.

Being no further questions or comments, Steve Lichtenfeld made a motion to recommend approval of the Conditional Use Permit to the Board of Aldermen. The motion was seconded by Jim Liberman and unanimously (5 to 0) approved by the members.

Jim Liberman made a motion to approve the site plan per staff recommendations. The motion was seconded by Steve Lichtenfeld and unanimously (5 to 0) approved by the members.

Steve Lichtenfeld made a motion to approve the architectural aspects of the project per staff recommendations. The motion was seconded by Ron Reim and unanimously (5 to 0) approved by the members.

Note: Marc Lopata and Scott Wilson returned to the member table.

Note: Kevin O'Keefe arrived (5:55 p.m.).

ARCHITECTURAL REVIEW – ADDITION TO SINGLE FAMILY RESIDENCE – 401 EDGEWOOD

Ms. Ann Begemann, project architect and Ms. Anne Craver, owner, were in attendance at the meeting.

Catherine Powers explained that this is a request for review of the design and materials associated with the construction of a one-story addition to a single family residence at the subject site. On November 5, 2009, the Board of Adjustment granted a variance for a 16.12' encroachment into the rear yard setback. The existing two-story residence is 2,264 square feet. The existing family room on the southern portion of the property was damaged by a tree and is proposed to be demolished and rebuilt with a 704 square foot expansion. The total size of the structure including the addition will be 2,968 square feet. The height of the addition will be 20 feet from the average existing grade to the mid-point of the highest roof plane as measured from the drawing. The proposed addition will be constructed of red brick to match the existing. Vinyl siding is used on the gables of the existing roof. Hardieplank lap siding is proposed on the gables of the roof of the proposed addition. Oak brown asphalt shingles are proposed on the roof of the addition to match the roof of the existing structure. Windows from the existing garage will be reused, and additional double hung windows will be black. Uncovered parking is proposed on a new exposed aggregate concrete driveway in the same location as the existing driveway. Existing HVAC units will remain on the northern edge of the structure. A new trash enclosure with 5 foot high cedar screening is proposed on the southern edge of the addition. The subject property is a corner lot and the location of the proposed addition is currently occupied by a garage which was converted to a family room many years ago in the rear yard of the property (visible from Edgewood Drive). The demolition of the garage and the expanded family room in its place will not present any significant alterations to the existing streetscape. Catherine stated that Trustee approval has been received and that staff believes that the design and material of the proposed addition are compatible with the existing single-family residence and recommends approval as submitted.

Ms. Begemann presented a site plan to the members. She stated that the addition is in the same location as the family room which was, many years ago, an attached garage. She stated the family room was damaged by a tree during a storm earlier this year.

Material samples were presented (brick, siding, roof).

Steve Lichtenfeld asked about the setbacks.

Jason Jaggi explained that the zoning regulations determine the setbacks based on frontages and lot dimensions. He stated that if this addition were being constructed in what is used as the side yard (but defined as the rear yard), it would meet setback regulations. He indicated that the Board of Adjustment granted the variance at their meeting of November 5th.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Jim Liberman and unanimously approved by the Board.

ARCHITECTURAL REVIEW – 250 S. BRENTWOOD BLVD.

Catherine Powers explained that this is consideration of a request by William Reckel, of the Shaw Park Place Condominium Association, for approval of the use of fiber cement siding to replace the existing wood lap siding located on the balconies. On July 6, 2009, the Architectural Review Board denied the request to use an upgraded vinyl siding material. The existing structure contains a simulated brick exterior with dark stained cedar wood siding on the balcony areas. The applicant has indicated to staff that the wood material has been in place for approximately 25 years. The cedar is deteriorating and has reached the end of its useable life. In the letter submitted to the Architectural Review Board, the applicant proposes to use a Hardie Board product with a 4-inch reveal. The applicant proposes to complete the west and south elevations first with the less visible north and east elevations to be completed within a 3-year timeframe. The applicant indicates that the east and north elevations are still serviceable. The applicant has indicated to staff that the color of the siding will be brown to match the existing cedar. The small areas interior to the balconies will remain and will not be receiving the Hardie Board siding. Catherine indicated that staff believes that the use of fiber cement siding is a better solution than the vinyl siding previously proposed, but has some concerns with the possibility of fading; however, any product is susceptible to color changes over time. To provide a quality appearance, staff would prefer that the entire building be re-sided at the same time and recommends approval with the condition that the entire building be re-sided at the same time.

Mr. Reckel, Condominium Association Board Member, presented color samples to the members. He stated that an exact color match cannot be achieved. He stated that this job will cost between \$300,000 and \$350,000 and that a \$157,000 job was just done last year. He stated that they would like to start with the most visible elevation first and go from there.

Chairman Sanger indicated that he completely understands the desire to spread out the cost of this project and asked if can wait.

Mr. Reckel stated that the east and north sides are in surprisingly good shape. He advised the Board that 90% of the total cost is labor and to do the entire project at the same time would be financially brutal. He informed the members that he found a brown color from Canada, but it is not sold in Missouri.

Chairman Sanger asked Catherine Powers if staff would prefer the entire project be done at once.

Catherine Powers replied “yes”. She stated that it could be done in two stages with the most visible elevations being completed first.

Chairman Sanger asked about a time line.

Catherine Powers stated that they would be obligated to finish the project.

Chairman Sanger asked Kevin O'Keefe how much input this Board has regarding job progression.

Kevin O'Keefe indicated that he presumes that there would be a contrast in materials (new versus existing) and that as such, there may be an issue from an architectural perspective. He suggested approving the entire project and condition that the project be completed within "X" amount of time (determined by this Board).

Chairman Sanger voiced his concern that the Canadian material may not be available at a later date.

Mr. Reckel stated that the paint would be available if done by hand.

Kevin O'Keefe indicated that an issue is that all sides match.

Marc Lopata commented that if the material cost is only 10% of the entire project, than enough material for the entire building should be purchased at the same time and the installation could be done in stages.

Chairman Sanger agreed that the material should be purchased all together so as to ensure a factory match.

Scott Wilson commented that it could be tough for the owners to come up with \$10,000 - \$20,000 for this job.

Chairman Sanger asked if one owner does not pay, can the job still be done.

Jan Spalding, President of the Condo Association, stated that he believes all the owners can handle this as they still have \$130,000 in the bank.

Mr. Reckel indicated that they want to finish the job as quickly as possible.

Chairman Sanger asked if the decks are okay.

Mr. Reckel replied "yes".

Chairman Sanger asked what kind of time frame they are looking for.

Mr. Reckel indicated that they would like to begin the job in the spring of next year.

Mr. Spalding stated they would have the job completed in January, 2012.

Steve Lichtenfeld made a motion to approve with the conditions that all the material be purchased at the same time (brown color) and that the entire project be completed by December 31, 2011. The motion was seconded by Scott Wilson and unanimously approved by the Board.

CITY BUSINESS – DISCUSSION OF IMPERVIOUS COVERAGE AND STORM WATER MITIGATION FOR NEW RESIDENTIAL CONSTRUCTION

Catherine Powers read staff's memorandum regarding this topic as follows:

On August 3, 2009, staff presented items for discussion pertaining to storm water management, a new landscape ordinance, impervious coverage and green building certification. Staff presented further information at the October 19, 2009 Plan Commission meeting related to impervious coverage and storm water management. Based on previous discussions, staff would like to present four (4) options which would introduce new requirements for impervious coverage and storm water management practices for residential single and two-family projects as follows:

OPTION 1

- Set impervious coverage maximum at 45% of the total lot for residential uses within the R-1, R-2, and R-3 Zoning Districts
- Allow a 5% increase to 50% if storm water BMP is provided. Rain barrels and pop up emitters would not qualify as a BMP.

This option would reduce the allowable impervious coverage by 10%. A 5% impervious coverage bonus may be earned based on the applicant proposing a storm water BMP. These provisions would apply to new construction and large additions.

OPTION 2

- Set impervious coverage maximum at 50% of the total lot for residential uses
- Allow a 5% increase to 55% if storm water BMP is provided. Rain barrels and pop up emitters would not qualify as a BMP.

This option is a less restrictive version of Option 2 which would reduce the allowable impervious coverage by 5%. A 5% impervious coverage bonus may be earned (up to 55%) based on the applicant proposing a storm water BMP. These provisions would apply to new construction and large additions.

OPTION 3

- Set impervious coverage maximum at 50% of the total lot for residential uses
- Mitigate any increase in run-off (based on a CFS calculation) whether new single family or large addition.

This option would reduce total lot impervious coverage from 55% to 50% in all single and two-family residential zoning districts. Any increase in runoff would need to be mitigated via a storm water Best Management Practice BMP.

OPTION 4

- Set impervious coverage maximum at 50% of the total lot for residential uses
- For new single or two-family construction: require any increase in run-off to provide mitigation by installing a storm water BMP.
- For large residential additions requiring site plan review: any increase in run-off of 0.05 CFS or greater to provide mitigation by installing a storm water BMP.

This option would reduce the allowable impervious coverage by 5%. New construction would be held to a higher standard by requiring BMP's for any increase in runoff above existing conditions. Residential additions would be given more leeway by not requiring BMP's unless the CFS differential was 0.05 or greater.

Catherine stated that staff believes that Option 1 is the most restrictive because impervious coverage would drop 10% to 45% of the total lot area. Applicants proposing larger projects may be more able to include a BMP to obtain greater coverage; however, staff believes that many smaller construction projects would face difficulty and act as a disincentive for smaller building additions.

Option 2 is similar to Option 1 except that the impervious coverage is reduced by only 5% and an additional bonus of up to 55% can still be earned if a BMP is provided. Staff believes this option does not go far enough to address the issue and will result in similar projects as currently proposed.

Option 3 represents a straightforward requirement; however, mitigating additional runoff by requiring BMP's could also act as a disincentive, similarly to Options 2 and 3.

In consideration of the above, staff believes that Option 4 represents a fair and balanced approach by making distinctions between new construction and additions. An across-the-board reduction of 5% impervious coverage would also provide a benefit throughout the City's single and two-family districts.

Catherine indicated that staff would like additional input and direction from the Plan Commission on impervious coverage reductions and storm water management.

Elizabeth Simons, Planning Intern, began a PowerPoint presentation. She referred to the minutes from the second meeting in October with regard to this topic that were included in the agenda packets. She indicated that the goals are to preserve greenspace, detain water on-site, reduce flooding, filter with the first flush, achieve high quality water, avoid storm water infrastructure overload and avoid any increase in run-off onto neighboring properties. She then presented the percentages of residential projects requiring site plan review that were approved

with 50-55% coverage (1/3 of the total number) over the past 5 years as well as impervious coverage trends by residential lot size.

Elizabeth stated that a 5% reduction in impervious coverage on a 7,500 square foot lot containing a 2-story structure would require a 750 square foot decrease in the overall size of the structure OR a 375 square foot decrease in the area of paved surfaces in the yard resulting in reduced storm water run-off.

Chairman Sanger asked what size house could be put on a 7,500 square foot lot.

Jason Jaggi and Catherine Powers stated that the goal is not to just reduce the size of the house, but to reduce coverage by way of a smaller house and less paved areas (patios, etc.).

Marc Lopata added “or a narrower driveway”.

Catherine Powers concurred.

Elizabeth Simons commented that it is not staff’s intent to reduce the home size.

Chairman Sanger asked how much coverage could be on a 7,000 square foot lot with the proposal.

Elizabeth Simons replied “50% coverage would equal 3,750 square foot of coverage”.

Marc Lopata asked if the driveway is pervious, would that coverage be excluded.

Elizabeth Simons indicated that is still up for discussion.

Elizabeth Simons informed the members that staff contacted MSD for a list of BMPs for single family residences and was told there was no list as many BMPs from MSD are not suitable for a single family lot. She stated that BMPs are formed by the EPA and most of them do retain water on-site. Slides depicting photos and information about each EPA BMP for small lots were presented, which included grassed swale, infiltration basin, infiltration trench, pervious pavement, alternative pavers and green roofs.

Chairman Sanger asked if there are any green roofs in Clayton.

Catherine Powers indicated that green roofs have been used on commercial and large residential projects; not on single family residences.

Jason Jaggi provided an explanation of each of the four options. He stated that pop-up emitters are not BMPs as they do not “hold” water, they simply send water back out onto the site. He stated that rain barrels do not hold a lot of water.

Catherine Powers indicated that residential additions may have to remove something that is existing in order to not generate additional run-off. She stated that run-off is generally higher with additions.

Jim Liberman commented that if rain barrels and pop-ups are removed from the list, that only leaves pervious material, rain gardens and green roofs.

Jason Jaggi stated that there are other features (i.e. variations of rain gardens such as a swale) out there.

Scott Wilson asked staff's preferred option.

Jason Jaggi replied "Option 4", although there are concerns with this option in relation to additions.

Ron Reim commented that one's hand could be forced to demo rather than add on.

Jim Liberman asked how vacant lots and split lots would be handled.

Catherine Powers indicated that although there are not a lot of them, existing run-off calculations would be difficult to determine.

Marc Lopata asked about other cities regulations.

Jason Jaggi stated that staff is not aware of other cities with a similar approach.

Marc Lopata asked if any of the members were attending the Engineers Club meeting on Friday.

No one indicated their plans to attend.

Marc Lopata asked staff to identify completed homes that had between 45 and 50% coverage. He suggested going with Option 1 for new construction with a base coverage of 45% with the ability to increase coverage to 50% with the use of a BMP and allow additions coverage up to 50%, but limit run-off onto the subject site and no run-off onto neighboring property. He said that allowing properties with proposed additions up to 50% coverage would encourage retention of existing structures.

Jim Liberman mentioned the possibility of a new construction being completed and coming back later with a proposed addition.

Catherine Powers stated that 5% does not make much difference.

Chairman Sanger stated that his concern is that people do not want to move to Clayton and have to live in a 2,200 square foot house.

Scott Wilson asked the average single family lot size in Clayton.

Catherine Powers replied 7,500 square feet.

Marc Lopata stated that the problem is that we are pricing ourselves out of starter homes and that there is a problem keeping kids in our schools.

Chairman Sanger indicated that it is not this Commission's purview to determine the economic structure of Clayton. He added that homes have to be consistent with the community in terms of character, architecture and amenities. He stated that a 2,200 square foot house will not sell in Clayton.

Kevin O'Keefe stated that would reduce the land value.

Ron Rein stated that unintended consequences need to be looked at (developer may want to start with a clean slate).

Chairman Sanger stated that he does not want to encourage tear downs.

Marc Lopata stated that a typical developer will not live in the house.

Ron Reim stated that spec homes are still on the market.

Kevin O'Keefe commented that in order to make the process work, the restrictions would be recorded on the title in order to ensure the preservation of BMPs.

Scott Wilson stated that the problem with BMPs is enforcement. He stated that after an owner lives in a house for 25 years, storm water retention goes by the wayside and then when the property is put up for sale, requirements are then re-enforced.

Kevin O'Keefe stated that restrictions recorded on the title would be discovered prior to closing.

Ron Reim asked if permits are required for at-grade concrete work.

Catherine Powers replied "no".

Chairman Sanger stated the need to make the process as simple as possible and the importance of maintaining the BMPs and their enforcement.

Jim Liberman asked if this Commission will ultimately make a recommendation to the Board of Aldermen.

Catherine Powers replied "yes".

Marc Lopata asked how other cities enforce standards such as these.

Kevin O’Keefe indicated that it is recorded on the title as that is the fairest and most effect method.

Marc Lopata asked staff to survey other cities to determine how they handle these issues.

Catherine Powers indicated that other cities use FAR (Floor Area Ratio) versus coverage, which is not a good comparison. She asked the members if, for the next discussion, they want a review of recently approved/constructed projects and how they would compare using each of the four options as well as how much “building” would be lost at a 50% coverage maximum.

The members concurred.

Chairman Sanger asked if a public hearing would be held at this level.

Catherine Powers replied “yes”. She stated that this will change the complexion of how the City does business.

Marc Lopata asked that staff also provide information on how new projects would fair with these options.

Catherine Powers agreed.

Marc Lopata stated that he, too, is in favor of retaining existing structures.

Kevin O’Keefe commented that tear-downs (new construction) result in higher values.

Chairman Sanger commented that there are some areas of Clayton that are better suited for new construction versus renovation.

Chairman Sanger asked Catherine Powers to provide a brief synopsis of the school demographics.

Catherine Powers stated that for the most part, it appears that the population looks “flat” over the next 5 years.

Chairman Sanger asked if different information is received to please inform this Commission.

Catherine Powers agreed.

Craig Owens informed the members that the City closed on the Heritage Building (future site of the Police Department).

Chairman Sanger asked how the building was paid for.

Craig Owens indicated that a bond was issued.

Chairman Sanger asked about occupancy.

Craig Owens indicated they hope to occupy in approximately 2 years.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 7:15 p.m.

Recording Secretary